



BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

[Docket No. ED-2022-SCC-0125]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and approval; Comment Request; Annual State Application Under Part B of the Individuals with Disabilities Act as Amended in 2004

AGENCY: Office of Special Education and Rehabilitative Services (OSERS),
Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing an extension without change of a currently approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be submitted within 30 days of publication of this notice. Click on this link www.reginfo.gov/public/do/PRAMain to access the site. Find this information collection request (ICR) by selecting “Department of Education” under “Currently Under Review,” then check the “Only Show ICR for Public Comment” checkbox. Reginfo.gov provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the “View Information Collection (IC) List” link. Supporting statements and other supporting documentation may be found by clicking on the “View Supporting Statement and Other Documents” link.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Jennifer Simpson, 202-245-6042.

SUPPLEMENTARY INFORMATION: The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Annual State Application Under Part B of the Individuals with Disabilities Act as Amended in 2004

OMB Control Number: 1820-0030

Type of Review: An extension without change of a currently approved ICR.

Respondents / Affected Public: State, Local, and Tribal Governments

Total Estimated Number of Annual Responses: 60

Total Estimated Number of Annual Burden Hours: 2,340

Abstract: The Individuals with Disabilities Education Act, signed on December 3, 2004, became PL 108-446. In accordance with 20 U.S.C. 1412(a) a State is eligible for assistance under Part B for a fiscal year if the State submits a plan that provides assurances to the Secretary that the State has in effect policies and procedures to ensure that the State meets each of the conditions found in 20 U.S.C. 1412. Information Collection 1820-0030 is being extended so that a State can provide assurances that it either has or does not have in effect policies and procedures to meet the eligibility requirements of Part B of the Act as found in PL 108-446. Information Collection 1820-0030 corresponds with 34 CFR §§ 300.100-176; 300.199; 300.640-645; 300.646-647 and 300.705. These sections include the requirement that the Secretary and local educational agencies located in the State be notified of any State-imposed rule, regulation, or policy that is not required by this title and Federal regulations.

In addition, Information Collection 1820-0300 is being updated to make a nonsubstantive change to the application template to address a statement that is referenced in two places in the application document. The statement appears under Section II.C. (Certifications),

item number two and is also referenced under Section II.D (Statement). This statement pertains to a provision, under the Education Department General Administrative Regulations (EDGAR) at 34 CFR §76.104, relating to State eligibility, authority and approval to submit and carry out the provisions of its State application, and consistency of that application with State law are in place within the State. The purpose of the nonsubstantive change is to remove the statement from under Section II.C. (Certifications) in order to eliminate the duplication of the statement within the application template.

Dated: December 16, 2022.

Juliana Pearson,

PRA Coordinator,

Strategic Collections and Clearance,

Governance and Strategy Division,

Office of Chief Data Officer,

Office of Planning, Evaluation and Policy Development.

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